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June 10, 2014

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Hon. Edward M. Chen
United States District Judge
Northern District of California
450 Golden Gate
Courtroom 5, 17th Floor
San Francisco, CA 94102

Re: Close of Discovery June 19, 2014 and Pending Joint Letter re Discovery—
Nextdoor, Inc. v. Abhyanker, No. 3:12-cv-05667-EMC

Dear Judge Chen:

I reluctantly contact Your Honor with respect to this matter, as you have assigned discovery matters to Magistrate Judge Corley by order of June 5, 2014. Dkt. No. 208.1. Judge Corley's chambers has advised us that she is out of town and is therefore unable to begin to address this issue for the next week. (Judge Corley has not previously addressed any issues on this case). Nextdoor.com respectfully submits that the matters raised in the Joint Discovery Letter submitted yesterday (Dkt. 213) need to be addressed prior to Judge Corley's return next week, for two reasons.

First, there is simply no way that the discovery cutoff of June 19, 2014 can hold if Mr. Abhyanker continues to refuse to produce documents. While the cutoff could be moved if the Court desired, and may in the end need to be, this Court has twice declined to do so.

Second, and more urgent, is the need for an immediate order that Mr. Abhyanker and his counsel sequester, preserve, and turn over electronic data to a forensic analyst. As explained in the Joint Discovery Letter, on the record at his deposition Mr. Abhyanker withdrew all his claims in this action, conceding that they have no merit and that, after two years of maligning Nextdoor.com, he has concluded Nextdoor.com is innocent. Dkt. 213 at 1. He dropped his claims in the face of proof of outright deception and lies to the Court, including fabrication of evidence. See Dkt. 213, Exhibit A. His willingness to lie and fabricate evidence require that the data now in his hands be taken out of them, so he cannot manipulate the evidence any longer and so that he can ultimately be held accountable for his conduct. Indeed, recognizing the utter unreliability of Mr. Abhyanker, his own attorneys do not, in the Joint Letter, oppose issuance of

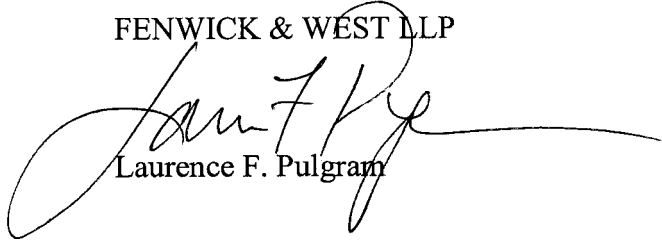
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such an order. *See* Dkt. 213 at 2. Those attorneys (who also work for Mr. Abhyanker's law firm) have also advised that they will be seeking to withdraw as counsel. Yet without such an order, there is nothing that will prevent Mr. Abhyanker from further alteration of evidence

Thank you for your consideration of this request.

Sincerely,

FENWICK & WEST LLP



Laurence F. Pulgram

LFP:dws